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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,733	12/20/2001	Muneomi Katayama	TESJ.0043	5611
38327	7590	02/08/2006	EXAMINER	
REED SMITH LLP 3110 FAIRVIEW PARK DRIVE, SUITE 1400 FALLS CHURCH, VA 22042			JONES III, CLYDE H	
			ART UNIT	PAPER NUMBER
			2611	

DATE MAILED: 02/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/022,733	Applicant(s) KATAYAMA, MUNEOMI	
	Examiner Clyde H. Jones III	Art Unit 2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 December 2001 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1 is rejected under 35 U.S.C. 102(e) as being clearly anticipated by Erdelyi (US 6,631,522 B1).

Regarding claim 1 Erdelyi anticipates an automatic image retrieval system (fig.

16) comprising

a plurality of picture information (videos and photos) such as a zoom picture and an overhead picture such as of a player in a sport game (col. 4, lines 34-38 & 50-60; col. 9, lines 23-24; col. 10, lines 65-67; col. 71, lines 50-53; col. 12, lines 34-36; col. 20, lines 42-46; col. 25, lines 20-25 & 37-40), a step of encoding them for transfer (fig. 6; col. 5, lines 20-49; col. 9, lines 36-39; col. 12, lines 26-36; col. 15, lines 23-30; col. 16, lines 21-51), and a picture server for storing the digitized picture data by using a net line (col. 4, lines 51-60; col. 5, lines 1-19; col. 11, lines 57-59; col. 13, lines 40-47; col. 24, lines 15-18), and

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a step of performing time-dependent inputs such as of the player's behavior and other information (col. 5, lines 37-39; col. 8, lines 36-38 & 53-65; col. 9, lines 19-20; col. 10, lines 25-36 & 45-48; col. 13, lines 52-54; col. 14, lines 4-30; col. 15, lines 22-30; col. 16, lines 45-51; col. 20, lines 4-46; col. 21, line 42- col. 22, line 11; col. 24, lines 6-8; in which time dependent information is input into the system such as player's action, e.g., catching, running, throwing, etc., and other time dependent info, e.g., current remaining time, quarter, score, etc., inter alia) and transferring data thereof, and a data server for storing real-time data to be transferred by using the net line (col. 23, lines 17-21; col. 5, lines 8-15; col. 6, lines 57-55; col. 9, lines 23-24; col. 11, lines 56-58; col. 22, lines 19-57; in which a database/server stores encoded clips with the real-time data (time dependent info) input), wherein

a user (viewer) makes an access to either or both of the picture server and the data server on the net (1085, 1060, 1070, 1075 – fig. 3; fig. 4A; 252, 254, 256, 258, 260, 270, 336, 334 – fig. 4F; 385, 387 – fig. 7; col. 22, lines 54-57; col. 23, lines 17-21; col. 2, lines 63-65; col. 5, lines 17-19, lines 45-46; col. 6, lines 39-col. 7, lines 6; col. 9, lines 18-20), and has a predetermined picture linked with a data to be output on an identical frame (col. 2, line 66-col. 3, line 42; col. 16, lines 49-51; col. 20, lines 42-46; in which the user accesses the databases with the encoded clips and views the user selected time-dependent clip statistics with corresponding images, in wide or zoom angle camera shots, of sports players).


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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clyde H. Jones III whose telephone number is 571-272-5946. The examiner can normally be reached on 9-5:30 p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CJ


CHRISTOPHER GRANT
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